

April 29, 2022

VIA ELECTRONIC FILING

The Honorable Katherine Polk Failla  
United States District Court for the Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square, Room 618  
New York, NY 10007

Re: *Dinosaur Financial Group LLC et al. v. CUSIP Global Services, et al.*, Case No. 22 Civ 1860-KPF (*Dinosaur*); *Hildene Capital Management, LLC v. American Bankers Association et al.*, Case No. 22 Civ. 1929-KPF (*Hildene*).

Dear Judge Failla:

We represent Defendant S&P Global Inc. (“S&P”) in the two above captioned actions, which have been designated as related. On behalf of the Defendants in both actions,<sup>1</sup> and following up on our April 22, 2022 letter (Dkt. 40),<sup>2</sup> we write to address several scheduling issues. We understand that all plaintiffs and all defendants in the two actions consent to the scheduling proposals set forth below.

*First*, in my April 22 letter we indicated that Defendants planned to request a pre-motion conference in connection with a motion for consolidation and appointment of interim counsel for the putative classes in the *Dinosaur* and *Hildene* actions. Subject to the Court’s approval, the parties have agreed to the following briefing schedule for Defendants’ letter and Plaintiffs’ responses:

- Defendants to file their pre-motion letter on May 6, 2022
- Plaintiffs in the *Dinosaur* and *Hildene* actions to respond in separate simultaneous submissions on May 27, 2022.

*Second*, again, subject to Your Honor’s approval, the parties have agreed that Defendants’ time to file letters seeking a pre-motion conference with respect to motions to dismiss the individual *Dinosaur* and *Hildene* actions should, in light of the upcoming pre-motion

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<sup>1</sup> The other Defendants in this actions are the American Bankers Association, FactSet Research Systems, Inc., and CUSIP Global Services.

<sup>2</sup> The docket entries referred to herein are from the *Dinosaur* docket.

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conference and related requests, be adjourned until further action from the Court. The court previously approved extensions of these dates, and the current deadline is May 6, 2022.

*Third*, as discussed in my April 22 letter and the Court's Order in response (Dkt. 42), the parties have met and conferred regarding proposed alternative dates for the rescheduled initial pretrial conference, which will also serve as a pre-motion conference for (1) the *Dinosaur* plaintiffs' motion for partial summary judgment, and (2) Defendants' motion for consolidation and appointment of interim counsel for the class. The parties are available on the following dates:

- June 9 (by telephone/video only)
- June 27, June 28, and June 29 (by telephone/video or in person).

Respectfully submitted,

/s Eric J. Stock

Eric J. Stock

cc: All Counsel of Record (*via ECF*)